



September 14, 2012

***Electronic Filing***

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Ex Parte Presentation in WT Docket No. 12-70, Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands; ET Docket No. 10-142, Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz; and WT Docket No. 04-356, Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands**

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network Corporation ("DISH") submits this letter summarizing a meeting held on Wednesday, September 12, 2012, between DISH and members of the Commission staff. Present on behalf of the Commission were John Leibovitz, Deputy Chief, Wireless Telecommunications Bureau; Blaise Scinto, Division Chief, Broadband Division, Wireless Telecommunications Bureau; Jeremy Marcus, Assistant Chief, Broadband Division, Wireless Telecommunications Bureau; Chris Helzer, Broadband Division, Wireless Telecommunications Bureau; Tom Peters, Broadband Division, Wireless Telecommunications Bureau; Stephen Zak, Wireless Telecommunications Bureau; Robert Nelson, Chief, Satellite Division, International Bureau; Gardner Foster, Assistant Bureau Chief, International Bureau; Julius Knapp, Chief Engineer, Office of Engineering Technology; Ronald Renapsi, Deputy Chief, Office of the Chief Engineer, Office of Engineering and Technology (by telephone); and Michael Ha, Office of Engineering and Technology. Present on behalf of DISH were Jeffrey Blum, Senior Vice President and Deputy General Counsel; Mariam Sorond, Vice President, Technology Development; David Zufall, Vice President, Wireless Development; Hadass Kogan, Associate Corporate Counsel; and John Flynn, Outside Counsel.

The purpose of the meeting was to discuss the harmful interference environment that would be created for the AWS-4 uplink band from the high power Broadcast Auxiliary Service ("BAS") and government operations in the 2025 – 2110 MHz band, were the Commission to shift the S-band uplink 5 MHz to encompass the 2005 – 2025 MHz band. In that discussion, DISH

reiterated its position<sup>1</sup> that any such shift would consign, at least, 25 percent of the AWS-4 uplink allocation to being beyond efficient usability and lying fallow. This would be a lose-lose for DISH and mobile broadband consumers.

DISH discussed the results of a recent study undertaken to quantify the interference impact of the suggested 5 MHz shift on AWS-4 base station receivers in the 2005 – 2025 MHz band from the high power operations in the adjacent 2025 – 2110 MHz band. This study looked at the technical parameters of proposed AWS-4 operations in the 2005 -2025 band and BAS and government operations in the 2025 – 2110 MHz band, calculated the potential interference to AWS-4 base station receivers, and explored mitigation approaches. Its conclusion is that the AWS-4 base stations cannot effectively filter out higher powered emissions from above 2025 MHz without an adequate frequency separation between the AWS-4 and 2025 - 2110 MHz bands. Because the shift would make the AWS-4 and BAS/government bands directly adjacent, at least, the upper 5 MHz of the AWS-4 uplink band would be beyond efficient usability in order to achieve the necessary frequency separation.

The study reaches this conclusion despite aggressive assumptions with respect to filter design and the ability of vendors for AWS-4 base stations to surpass minimum 3GPP specifications for base station adjacent channel selectivity. Despite this assumption, the higher power emissions from the 2025 – 2110 MHz band would overwhelm AWS-4 base station receivers employing reasonable filtering technologies absent, at least, a 5 MHz separation between AWS-4 operations and those above 2025 MHz. Nor could physical coordination between the AWS-4 and BAS operators effectively address interference concerns.

DISH urges the Commission to complete this rulemaking as expeditiously as possible, and maintain the existing band plan consistent with the AWS-4 NPRM.

Respectfully submitted,

/s/ Jeffrey H. Blum

Jeffrey H. Blum

cc: John Leibovitz  
Blaise Scinto  
Jeremy Marcus  
Chris Helzer  
Tom Peters  
Stephen Zak  
Robert Nelson  
Gardner Foster  
Julius Knapp  
Ronald Renapsi  
Michael Ha

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<sup>1</sup> See, e.g., DISH Reply Comments at 28; see also DISH Network Corporation, *Ex Parte Notice*, WT Docket Nos. 12-70, 04-356, ET Docket No. 10-142 (filed Aug. 28, 2012)